

### **REMARKS**

This responds to the Office Action mailed on October 3, 2006, and the references cited therewith.

Claims 10 and 18 are amended, claims 3, 11, 19 and 26 are canceled, and no claims are added. Claims 1-30 are now pending in this application.

Claims 10 and 18 have been amended to correct typographical errors.

### **Claim Objections**

Claims 3, 11, 19, 26 and 30 were objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant has canceled the claims and respectfully requests the objections be withdrawn.

### **§103 Rejection of the Claims**

Claims 1-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over US 20040111431 (hereinafter Zeller) in view of US 20030191806 (hereinafter Oster). Applicant respectfully traverses the rejection with respect to claims 1-30 as the rejections fail to establish a *prima facie* case of obviousness.

The M.P.E.P. adopts this line of reasoning in establishing a *prima facie* case of obviousness,

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

*M.P.E.P.* § 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)).

Claim 1

Applicant submits that neither of the cited references teach or suggest all the limitations of independent claim 1. Independent claim 1, teaches a computer implemented method of determining a hierarchy of employees within an organization, comprising extracting organization information from a plurality of data sources. The rejection admits the Zeller reference does not teach extracting organizational information from a plurality of data sources. (Office Action Summary, October 3, 2006, page 3). The Oster reference teaches a memory including a plurality of blocks of data, such as received org-chart database. (Oster, paragraph 27). Oster goes on to describe extracting data from only one database. (Oster, paragraph 27). Applicant is unable to find, among other things, in the cited portions of Oster, extracting organizational information from a plurality of data sources or the process of linking employees as a function of the organizational information to form a hierarchy of employees. Linking employees as a function of organizational information extracted from a plurality of data sources to determine a hierarchical structure is not a trivial step in creating the hierarchy of employees, especially when the plurality of data sources are not intuitively related. The solution resulting from correlating data extracted from a plurality of data sources provides many opportunities to add flexibility to subsequent hierarchical structures. (Application, page 10, lines 4-17; page 13, lines 10 - 20).

As the combination of the references fails to teach or suggest all the limitations of the claimed subject matter, the rejection fails to make a *prima facie* case of obviousness with respect to claim 1. Applicant request withdrawal of the rejection and reconsideration and allowance of independent claim 1.

Claim 2

Claim 2 depends, either directly or indirectly, on independent claim 1 and is believed to be in a condition for allowance at least for the reason provided with respect to independent claim

1. Applicant respectfully request withdrawal of the rejection and reconsideration and allowance of claim 2.

Claim 4

Applicant submits that neither of the cited references teach or suggest all the limitations of the independent claim 4. Independent claim 4, teaches a method of generating a report tailored to a user within an organization having a hierarchy, the method comprising extracting data from one or more data sources. The rejection admits the Zeller reference does not teach extracting organization information from a plurality of data sources. (Office Action Summary, October 3, 2006, page 3). The Oster reference teaches a memory including a plurality of blocks of data, such as received org-chart database. (Oster, paragraph 27). Oster goes on to describe extracting data from only one database. (Oster, paragraph 27). Applicant is unable to find, among other things, in the cited portions of Oster, extracting data from one or more data sources. The solution resulting from filtering data extracted from a plurality of potentially dissimilar data sources provides many opportunities to add flexibility to subsequent hierarchical structures and reports based on those structures. (Application, page 10, lines 4-17; page13, lines 10 - 20).

As the combination of the references fails to teach or suggest all the limitations of the claimed subject matter, the rejection fails to make a *prima facie* case of obviousness with respect to independent claim 4. Applicant request withdrawal of the rejection and reconsideration and allowance of independent claim 4.

Claims 5-10

Claims 5 – 8 depend, either directly or indirectly, on independent claim 4 and are believed to be in a condition for allowance at least for the reason provided with respect to independent claim 4. Additionally, Applicant submits that neither the Zeller nor Oster teach all the limitations of the claimed subject matter of claim 5. Claim 5 teaches among other things, a computer implemented method of generating a report including delivering the report via instant messaging. The Zeller reference shows a report indicating a users availability to accept a instant message. (Zeller, paragraph 34). However, Applicant cannot find, among other things, in the cited portions of Zeller or Oster, a computer implemented method of generating a report including delivering the report via instant messaging.

With respect to claim 9, the claim teaches, among other things, a computer implemented method of generating a report including delivering the report via e-mail. The Oster reference shows a system that can generate, store, and allow users to view e-mail lists. (Oster, paragraphs 4, 34 and 38). However, Applicant is unable to find in the cited portion of Oster, a computer implemented method of generating a report including delivering the report via e-mail.

With respect to claim 10, Applicant traverses the rejection for at least the reasons provides with respect to claims 5 and 9. Claim 10 teaches a computer implemented method of generating a report including delivering the report via e-mail, wherein the delivering of the report via instant messaging includes retrieving the user's instant message address. Zeller shows a report indicating the availability of a user to accept instant messages. (Zeller, paragraph 34). Applicant is unable to find in the cited portions of Zeller, a computer implemented method of

generating a report including delivering the report via e-mail, wherein the delivering of the report via instant messaging includes retrieving the user's instant message address.

Applicant believes claims 5-10 are in a condition for allowance at least for at least the reasons provided with respect to each claim. Additionally, claims 5-10 depend, either directly or indirectly, on independent claim 4 and are believed to be in a condition for allowance at least for the reason provided with respect to independent claim 4. Applicant respectfully requests the withdrawal of the rejection and reconsideration and allowance of claims 5-10.

#### Claim 12

Applicant submits that neither of the cited references teach or suggest all the limitations of independent claim 12. Independent claim 12, teaches a method of generating a report tailored to a user within an organization having a hierarchy, the method comprising extracting organization information from one or more data sources. The rejection admits the Zeller reference does not teach extracting organization information from a plurality of data sources. (Office Action Summary, October 3, 2006, page 3). The Oster reference teaches a memory including a plurality of blocks of data, such as received org-chart database. (Oster, paragraph 27). Oster goes on to describe extracting data from only one database. (Oster, paragraph 27). Applicant is unable to find, among other things, in the cited portions of Oster, extracting data from one or more data sources. The solution resulting from filtering data extracted from a plurality of potentially dissimilar data sources provides many opportunities to add flexibility to subsequent hierarchical structures and reports based on those structures. (Application, page 10, lines 4-17; page 13, lines 10 - 20).

As the combination of the references fails to teach or suggest all the limitations of the claimed subject matter, the rejection fails to make a *prima facie* case of obviousness with respect to independent claim 12. Applicant request withdrawal of the rejection and reconsideration and allowance of independent claim 12.

### Claims 13-18

Claims 13 – 18 depend, either directly or indirectly, on independent claim 12 and are believed to be in a condition for allowance at least for the reason provided with respect to independent claim 12. Additionally, Applicant submits that neither the Zeller nor Oster teach all the limitations of the claimed subject matter of claim 13. Claim 13 teaches among other things, a computer implemented method of generating a report including delivering the report via instant messaging. The Zeller reference shows a report indicating a users availability to accept a instant message. (Zeller, paragraph 34). However, Applicant cannot find, among other things, in the cited portions of Zeller or Oster, a computer implemented method of generating a report including delivering the report via instant messaging.

With respect to claim 15, the claim teaches a computer implemented method of generating a report including delivering the report via instant messaging, wherein the delivering of the report via instant messaging includes retrieving the user's instant message address. Zeller shows a report indicating the availability of a user to accept instant messages. (Zeller, paragraph 34). Applicant is unable to find in the cited portions of Zeller, a computer implemented method of generating a report including delivering the report via instant messaging, wherein the delivering of the report via instant messaging includes retrieving the user's instant message address.

With respect to claim 17, the claim teaches, among other things, a computer implemented method of generating a report including delivering the report via e-mail. The Oster reference shows a system that can generate, store, allow users to view e-mail lists. (Oster, paragraphs 4, 34 and 38). However, Applicant is unable to find in the cited portion of Oster, a computer implemented method of generating a report including delivering the report via e-mail.

With respect to claim 18, the claim teaches a computer implemented method of generating a report including delivering the report via e-mail, wherein the delivering of the report via e-mail includes retrieving the user's e-mail address. Zeller shows a method of using a e-mail list. (Zeller, paragraphs 36-37). Applicant is unable to find in the cited portions of Zeller, a computer implemented method of generating a report including delivering the report via e-mail, wherein the delivering of the report via e-mail includes retrieving the user's e-mail address.

Applicant believes claim 13-18 are in a condition for allowance for at least the reasons provided with respect to each claim, as well as, for the reasons provided with respect to independent claim 12. Applicant respectfully request the withdrawal of the rejections and reconsideration and allowance of claims 13-18.

#### Claims 20 and 21

Applicant submits that neither of the cited references teach or suggest all the limitations of claims. Independent claims 20, 21 teach a report generating system, connected to, or having a plurality of data sources from which organizational information is extracted. The rejection admits the Zeller reference does not teach extracting organization information from a plurality of data sources. (Office Action Summary, October 3, 2006, page 3). The Oster reference teaches a memory including a plurality of blocks of data, such as received org-chart database. (Oster,

paragraph 27). Oster goes on to describe extracting data from only one database. (Oster, paragraph 27). Applicant is unable to find, among other things, in the cited portions of Oster, extracting data from a plurality of data sources. The solution resulting from extracting information from a plurality of potentially dissimilar data sources provides many opportunities to add flexibility determining subsequent hierarchical structures and the reports based on those structures. (Application, page 10, lines 4-17; page 13, lines 10 - 20).

As the combination of the references fails to teach or suggest all the limitations of the claimed subject matter, the rejection fails to make a *prima facie* case of obviousness with respect to independent claims 20 and 21. Applicant request withdrawal of the rejection and reconsideration and allowance of independent claim 20 and 21.

#### Claim 22

Applicant submits that neither of the cited references teach or suggest all the limitations of independent claim 22. Independent claim 22, teaches a method of generating a report tailored to a user within an organization having a hierarchy, the method comprising extracting organization information from one or more data sources, filtering each user's report as a function of the user's location within the organization hierarchy and delivering the report via instant messaging. The rejection admits the Zeller reference does not teach extracting organization information from a plurality of data sources. (Office Action Summary, October 3, 2006, page 3). The Oster reference teaches a memory including a plurality of blocks of data, such as received org-chart database. (Oster, paragraph 27). Oster goes on to describe extracting data from only one database. (Oster, paragraph 27).



The rejection with respect to claim 22 states that Oster discloses delivering reports via instant messaging at paragraphs 34 and 38. However, applicant is unable to find, in any portion of Oster, a reference to instant messaging. Applicant believes rejection meant to refer to Zeller in citing paragraph 34. In paragraph 34, Zeller discloses that awareness data may show whether an individual is available to receive an instant message. Applicant is unable to find any reference to instant messaging in paragraph 38 of either Zeller or Oster. Furthermore, Applicant is unable to find, among other things, in Oster or Zeller, a method of generating a report tailored to a user within an organization having a hierarchy, the method comprising extracting organization information from one or more data sources, filtering each user's report as a function of the user's location within the organization hierarchy and delivering the report via instant message.

As the combination of the references fails to teach or suggest all the limitations of the claimed subject matter, the rejection fails to make a *prima facie* case of obviousness with respect to independent claim 22. Applicant request withdrawal of the rejection and reconsideration and allowance of independent claim 22.

#### Claims 23-25

Claims 23 – 25 depend, either directly or indirectly, on independent claim 22 and are believed to be in a condition for allowance at least for the reason provided with respect to independent claim 22. Applicant respectfully requests withdrawal of the rejections and reconsideration and allowance of claims 23-25.

Claim 27

Applicant submits that neither of the cited references teach or suggest all the limitations of independent claim 27. Independent claim 27, teaches a method of generating a report tailored to a user within an organization having a hierarchy, the method comprising extracting organization information from one or more data sources, extracting data from a one or more data sources, filtering each user's report as a function of the user's location within the organization hierarchy and delivering the report via e-mail. The rejection admits the Zeller reference does not teach extracting organization information from a plurality of data sources. (Office Action Summary, October 3, 2006, page 3). The Oster reference teaches a memory including a plurality of blocks of data, such as received org-chart database. (Oster, paragraph 27). Oster goes on to describe extracting data from only one database. (Oster, paragraph 27). Additionally, Oster shows a opportunity to maintain e-mail lists based on a source of organizational information. (Oster, paragraph 2). Applicant is unable to find, among other things, in the cited portions of Oster, a method a method of generating a report tailored to a user within an organization having a hierarchy, the method comprising extracting organization information from one or more data sources, filtering each user's report as a function of the user's location within the organization hierarchy and delivering the report via e-mail. Furthermore, the solution resulting from filtering data extracted from a plurality of potentially dissimilar data sources provides many opportunities to add flexibility to subsequent hierarchical structures and reports based on those structures. (Application, page 10, lines 4-17; page13, lines 10 - 20).

As the combination of the references fails to teach or suggest all the limitations of the claimed subject matter, the rejection fails to make a *prima facie* case of obviousness with respect

to independent claim 27. Applicant request withdrawal of the rejection and reconsideration and allowance of independent claim 27.

Claims 28-29

Claims 28 – 29 depend, either directly or indirectly, on independent claim 27 and are believed to be in a condition for allowance at least for the reason provided with respect to independent claim 27. Applicant respectfully requests withdrawal of the rejections and reconsideration and allowance of claims 28-29.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6909 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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**CERTIFICATE UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29<sup>th</sup> day of January 2007.

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